

EXHIBIT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

)
CISCO SYSTEMS, INC.,)
Plaintiff,)
vs.) Case No.:
5:14-cv-05344-BLF (PSG)
ARISTA NETWORKS, INC.,)
)
Defendant.)
_____)

ATTORNEYS' EYES ONLY - HIGHLY CONFIDENTIAL
VIDEOTAPED DEPOSITION OF ABHAY ROY
Palo Alto, California
Friday, December 18, 2015
Volume 1

Reported by:
RACHEL FERRIER
CSR No. 6948
Job No. 2200521
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UNITED STATES DISTRICT COURT
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SAN JOSE DIVISION

CISCO SYSTEMS, INC.,
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ARISTA NETWORKS, INC.,
Defendant.

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) Case No.:
) 5:14-cv-05344-BLF (PSG)
)
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)
)

VIDEOTAPED DEPOSITION OF ABHAY ROY, VOLUME 1,
taken on behalf of the Defendant, at Wilson Sonsini
Goodrich & Rosati, 601 California Avenue, Palo Alto,
California, beginning at 9:30 a.m. and ending at
4:47 p.m. on Friday, December 18, 2015, before
RACHEL FERRIER, Certified Shorthand Reporter No. 6948.

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2
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6

7 INSTRUCTION NOT TO ANSWER

8 Page Line

9 57 23

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1 Palo Alto, California; Friday, December 18, 2015

2 9:30 a.m.

3 09:30AM

4 THE VIDEOGRAPHER: Good morning. We are on the 09:30AM

5 record at 9:30 a.m. on December 18th, 2015. 09:30AM

6 This is the video-recorded deposition of 09:30AM

7 Abhay Roy. 09:30AM

8 My name is Cassia Leet, here with our Court 09:30AM

9 Reporter, Rachel Ferrier. We are here from Veritext 09:30AM

10 Legal Solutions at the request of counsel for the 09:30AM

11 defendant. 09:30AM

12 This deposition is being held at 601 California 09:30AM

13 Avenue, Palo Alto, California 94304. 09:30AM

14 The caption of this case is Cisco Systems, Inc., 09:31AM

15 versus Arista Networks, Inc., in the United States 09:31AM

16 District Court, Northern District of California, 09:31AM

17 San Jose Division, Case No. 5:14-cv-05344-BLF (PSG). 09:31AM

18 Please note that the audio and video recording 09:31AM

19 will take place unless all parties agree to go off the 09:31AM

20 record. Microphones are sensitive and may pick up 09:31AM

21 whispers and private conversations. 09:31AM

22 I am not related to any party in this action, nor 09:31AM

23 am I financially interested in the outcome in any way. 09:31AM

24 If there are any objections to the proceeding, 09:31AM

25 please state them at the time of your appearance, 09:31AM

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1 beginning with the noticing attorney, if you could just 09:31AM
2 introduce yourselves. 09:31AM
3 MR. SILBERT: David Silbert, Keker & Van Nest, on 09:31AM
4 behalf of Arista. 09:31AM
5 MS. McCLOSKEY: Elizabeth McCloskey on behalf of 09:31AM
6 Defendant Arista. 09:32AM
7 MR. NEUKOM: John Neukom for Cisco and for the 09:32AM
8 witness, and with me today is Sydney Archibald. 09:32AM
9 THE VIDEOGRAPHER: Thank you. 09:32AM
10 The witness will be sworn in and counsel may 09:32AM
11 begin the examination. 09:32AM
12 ABHAY ROY, 09:32AM
13 having been administered an oath, was examined and 09:32AM
14 testified as follows: 09:32AM
15 THE WITNESS: Yes. 09:32AM
16 EXAMINATION 09:32AM
17 BY MR. SILBERT: 09:32AM
18 Q Good morning, Mr. Roy. We met briefly off the 09:32AM
19 record, but let me just introduce myself again. 09:32AM
20 My name is David Silbert, and I'm one of the 09:32AM
21 attorneys who represents Arista in the -- in this 09:32AM
22 lawsuit. 09:32AM
23 Have you ever been deposed before? 09:32AM
24 A No. 09:32AM
25 Q Have you had an opportunity to talk to your 09:32AM

1 encounters a shorter version, they can expand it, and if 09:49AM
2 RIP is used further down the document, you can keep 09:49AM
3 saying router information protocol or you can shorthand 09:49AM
4 it, and, typically, at the first documents, you will 09:49AM
5 have both versions, which this is the shorthand for 09:49AM
6 that. 09:49AM

7 Q Are these capitalized letters actually part of 09:49AM
8 the CLI command or are they there for some different 09:49AM
9 reason? 09:49AM

10 MR. NEUKOM: Objection; vague and compound. 09:49AM

11 THE WITNESS: I mean, just looking at this, it's 09:49AM
12 hard to say. There's probably a more detailed document 09:49AM
13 on this command that can probably tell us more. Just by 09:49AM
14 looking at it, it's hard to say what it's trying to say. 09:50AM
15 BY MR. SILBERT: 09:50AM

16 Q You claim to be the person who authored the 09:50AM
17 command "bfd all-interfaces"; correct? 09:50AM

18 MR. NEUKOM: Objection; misstates prior 09:50AM
19 statements and calls for a legal conclusion. 09:50AM

20 THE WITNESS: So bfd all-interfaces is -- is -- 09:50AM
21 looks like a broader implication for various protocols. 09:50AM
22 My involvement has been on OSPF site, and I have written 09:50AM
23 some code on OSPF, which makes use of bfd 09:50AM
24 all-interfaces. 09:50AM

25 Is that what you are asking? 09:50AM

1 BY MR. SILBERT: 09:50AM

2 Q Okay. Well, let me just understand. 09:50AM

3 Did -- is it true that you did not author the 09:50AM

4 command "bfd all-interfaces"? 09:50AM

5 MR. NEUKOM: Objection; calls for a legal 09:50AM

6 conclusion. 09:50AM

7 THE WITNESS: So bfd all-interfaces code I have 09:50AM

8 written for OSPF. 09:50AM

9 BY MR. SILBERT: 09:51AM

10 Q Okay. I'm sorry, did I -- were you finished? 09:51AM

11 A Yes. 09:51AM

12 Q Okay. Did you come up with the phrase 09:51AM

13 "bfd all-interfaces" or did someone else do that? 09:51AM

14 A So this is -- this is quite dated. My best 09:51AM

15 recollection is we actually looked at a variety of IPv6 09:51AM

16 protocols, and we were trying to figure out what could 09:51AM

17 be one of the -- one of the best ways to express this. 09:51AM

18 So this is more of a collaborative effort. I cannot 09:51AM

19 take credit of coming up with it. It's a team of 09:51AM

20 engineers actually who looked into it, how this fits 09:51AM

21 into the bigger -- bigger piece of organization of 09:51AM

22 commands, what makes sense, what is more aesthetically 09:51AM

23 correct in the -- in the correct scope and with the 09:51AM

24 choices we had and the team of engineers, I believe, who 09:51AM

25 came up with this. 09:51AM

1 Q Okay. So if you can't take credit for coming up 09:51AM
2 with the phrase "bfd all-interfaces," who, to your 09:51AM
3 knowledge, on the team of engineers came up with that 09:52AM
4 phrase? 09:52AM
5 MR. NEUKOM: Objection; misstates prior 09:52AM
6 testimony. 09:52AM
7 THE WITNESS: Can't recollect exactly, was it one 09:52AM
8 engineer or was it a bunch of proposals we had and we 09:52AM
9 collectively said this -- this is the best thing to go 09:52AM
10 with. 09:52AM
11 BY MR. SILBERT: 09:52AM
12 Q Okay. So you don't know who came up with the 09:52AM
13 phrase "bfd all-interfaces"? 09:52AM
14 A I can't at this point, yeah. 09:52AM
15 Q Okay. But you do know, I believe you said, that 09:52AM
16 when the team of engineers was working, doing the work 09:52AM
17 that resulted in that phrase, they were consulting 09:52AM
18 protocols or industry standards; correct? 09:52AM
19 MR. NEUKOM: Objection; misstates prior 09:52AM
20 testimony. 09:52AM
21 THE WITNESS: So it's a team of engineers are 09:52AM
22 typically looking at what is the best way to express a 09:52AM
23 certain functionality, right? And they are trying to 09:52AM
24 come up with the best possible command-line interface, 09:52AM
25 and -- and we can get into sort of why and -- and what 09:52AM

1	A	So --	04:46PM
2	Q	Thank you.	04:46PM
3	A	-- so the enclosure title "Description" was	04:46PM
4		written by Friedman, and this describes what he has	04:46PM
5		suggested, so I'm basing on this document.	04:47PM
6	Q	Okay. Other than what you read in that document,	04:47PM
7		do you know anything else about the origination of the	04:47PM
8		command expression "ip ospf authentication"?	04:47PM
9	A	No.	04:47PM
10	MR. SILBERT:	Okay. Then thank you. At this	04:47PM
11		point, again, subject to any redirect based on	04:47PM
12		questioning by your counsel, I thank you very much for	04:47PM
13		your time and attention, and I'm concluding the	04:47PM
14		deposition.	04:47PM
15	THE WITNESS:	Sure. Thanks.	04:47PM
16	MR. NEUKOM:	No direct.	04:47PM
17	THE VIDEOGRAPHER:	Okay.	04:47PM
18	MR. NEUKOM:	At this time.	04:47PM
19	THE VIDEOGRAPHER:	This concludes today's	04:47PM
20		deposition of Abhay Roy. The number of media used was	04:47PM
21		three and will be retained by Veritext Legal Solutions.	04:47PM
22		The time is 4:47 p.m. We are off the record.	04:47PM
23		(TIME NOTED: 4:47 P.M.)	
24			
25			

1 I, ABHAY ROY, do hereby declare under penalty
2 of perjury that I have read the foregoing transcript;
3 that I have made any corrections as appear noted, in
4 ink, initialed by me, or attached hereto; that my
5 testimony as contained herein, as corrected, is true and
6 correct.

7 EXECUTED this _____ day of _____,
8 2015, at _____, _____.
9 (City) (State)

10
11
12
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14
15
16 _____
17 ABHAY ROY

18 VOLUME 1
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HIGHLY CONFIDENTIAL- ATTORNEYS' EYES ONLY


1
2
3 I, the undersigned, a Certified Shorthand
4 Reporter of the State of California, do hereby certify:

5 That the foregoing proceedings were taken before
6 me at the time and place herein set forth; that any
7 witnesses in the foregoing proceedings, prior to
8 testifying, were placed under oath; that a verbatim
9 record of the proceedings was made by me using machine
10 shorthand which was thereafter transcribed under my
11 direction; further, that the foregoing is an accurate
12 transcription thereof.

13 I further certify that I am neither financially
14 interested in the action nor a relative or employee of
15 any attorney or any of the parties.

16 IN WITNESS WHEREOF, I have this date subscribed
17 my name.

18
19 Dated: December 30, 2015
20
21
22

23 
24 **Rachel Ferrier**
25 **CSR No. 6948**